

Court of Appeals, State of Michigan

ORDER

People of Mi v Augustus Shawn Crabtree

Docket No. 301282

LC No. 09-332065-FH; 09-332022-FH

Joel P. Hoekstra
Presiding Judge

David H. Sawyer

Jane M. Beckering
Judges

The Court orders that the delayed application for leave to appeal is DENIED for lack of merit in the grounds presented.

Beckering, J., would vacate the sentence and remand this case for resentencing. Although the trial court stated numerous substantial and compelling reasons to depart from the guidelines, it failed to explain why the particular sentence imposed was more proportionate than a sentence within the guidelines would have been. *People v Smith*, 482 Mich 292, 304-305; 754 NW2d 284 (2008).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 06 2011

Date

Sandra Schultz Mengel
Chief Clerk